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PUBLIC NOTICE IS HEREBY GIVEN THAT THE  
**BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH**  
WILL HOLD A PUBLIC MEETING  
IN THE COMMISSIONER CHAMBERS - ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
100 E CENTER ST, PROVO, UT 84606  
**November 10th, 2021 - 2:00 pm**

\*Board members may participate electronically at will, with the anchor location as stated above.\*

\*The public may participate electronically by joining via zoom at the following link <https://zoom.us/j/99812064248> or calling (346) 248-7799 or (669)900-6833, Meeting ID: 998 1206 4248. Comments will be limited to two (2) minutes per individual unless otherwise approved by the Board. Please state your name at the beginning of the comment. Please no foul or abusive language.\*

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**~COMMISSION MEETING MINUTES~**

**Commissioner Sakievich in Attendance**  
**Commissioner Lee and Commissioner Gardner in Attendance via Zoom**

Others in Attendance: See attached Attendance Sheet and Zoom List

*(Meeting Called to Order: 2:08 P.M.)*

PRAYER/READING/THOUGHT: **Commissioner Sakievich**  
PLEDGE OF ALLEGIANCE: **Grant Sumsion**

**CONSENT AGENDA**

**REGULAR AGENDA**

1. RATIFICATION OF WARRANT REGISTER FOR NOVEMBER 10, 2021, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

-Alice Black, Clerk/Auditor

**APPROVED ON CONSENT**

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2. APPROVAL OF THE PAYROLL WARRANT SUMMARY FOR PAY PERIOD 22-2021

-Alice Black, Clerk/Auditor

**APPROVED ON CONSENT**

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT FOR UOCAVA BALLOT DELIVERY.

-Rozan Mitchell, Clerk/Auditor

**CONTINUED ON CONSENT TO NOVEMBER 17, 2021**

4. DESIGNATE PAST DUE ACCOUNTS RECEIVABLE AS UNCOLLECTIBLE AND APPROVE AND AUTHORIZE THE AMOUNTS TO BE WRITTEN OFF.

-Danene Jackson, Clerk/Auditor

**APPROVED ON CONSENT**

5. RESOLUTION APPROVING AND AUTHORIZING THE RENEWAL OF UTAH COUNTY'S COMMITMENT TO THE MASTER LEASE AGREEMENT BETWEEN THE MUNICIPAL BUILDING AUTHORITY OF UTAH COUNTY UTAH, AS LESSOR, AND UTAH COUNTY, AS LESSEE, OF THE MOUNTAINLAND APPLIED TECHNOLOGY COLLEGE SPANISH FORK FACILITY FOR THE PERIOD FROM JANUARY 1, 2022, TO DECEMBER 31, 2022

-Dave Shawcroft, Attorney

**APPROVED ON CONSENT**

6. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON AGREEMENT WITH INPUT-ACE TO PURCHASE SOFTWARE AND LICENSE AGREEMENT

-Ben VanNoy, Attorney

**APPROVED ON CONSENT**

7. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON AGREEMENT FOR EXPERT WITNESS SERVICES

-Ben VanNoy, Attorney

**APPROVED ON CONSENT**

8. APPROVE AND AUTHORIZE AN AGREEMENT BETWEEN UTAH COUNTY, UTAH, AND DAVID O. LEAVITT FOR THE USE OF A WEBSITE FOR COUNTY INFORMATIONAL PURPOSES.

-Ben Stanley, Attorney

**APPROVED ON CONSENT**

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9. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN SURPLUS COUNTY PROPERTY MEMO FOR TWO COPIERS

-Dalene Higgins, Sheriff

**APPROVED ON CONSENT**

10. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON A SURPLUS MEMORANDAUM.

-Lt. Tom Hodgson, Sheriff

**APPROVED ON CONSENT**

11. APPROVE AND ADOPT A RESOLUTION DECLARING UTAH COUNTY PERSONAL PROPERTY AS SURPLUS AND AWARDDING SAID SURPLUS PERSONAL PROPERTY AS A GIFT TO SERGEANT JAMES BALDWIN IN RECOGNITION OF HIS MERITORIOUS SERVICE TO UTAH COUNTY

-Shawn Radmall, Sheriff

**APPROVED ON CONSENT**

12. DECLARE A DUTY WEAPON AS SURPLUS TO PRESENT TO A SHERIFF'S OFFICE SERGEANT UPON RETIREMENT

-Shawn Radmall, Sheriff

**APPROVED ON CONSENT**

13. APPROVE AND AUTHORIZE THE SIGNING OF AN AMENDMENT TO #2020-1009 WITH UTAH DEPARTMENT OF HEALTH FOR THE MRC SMALL GRANT PROGRAM.

-Julie Dey, Health

**APPROVED ON CONSENT**

14. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN UNITED WAY OF UTAH COUNTY AND THE UTAH COUNTY HEALTH DEPARTMENT.

-Julie Dey, Health

**APPROVED ON CONSENT**

15. APPROVE AND AUTHORIZE THE SIGNING OF AN ORDER FORM WITH LOGZ.IO.

-Brittany Bell, Information Systems

**APPROVED ON CONSENT**

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16. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH STUART CIRBY TO PURCHASE A MICRO FIBER COMPRESSOR, TWO TUBE KITS AND THREE CABLE KITS FOR \$19,603.16

-RICHARD NIELSON, Public Works

**APPROVED ON CONSENT**

17. APPROVE AND AUTHORIZE THE SIGNING OF A MEMO FOR A PARTIAL RELEASE OF THE CONSTRUCTION BOND FOR SUBDIVISION IMPROVEMENTS FOR SMOKEY RIDGE RANCH PLAT A KNOWN AS AGREEMENT #2021-533 IN THE AMOUNT OF \$299,250.70.

-RICHARD NIELSON, Public Works

**APPROVED ON CONSENT**

18. ADOPT A RESOLUTION APPROVING REVISIONS TO HUMAN RESOURCE MANAGEMENT POLICY 5-500: LEAVE

-PJ Maughan, Human Resources

**APPROVED ON CONSENT**

19. APPROVE AND ADOPT AN ORDINANCE TO AMEND TO UTAH COUNTY LAND USE ORDINANCE SECTION 4.44 AND 4.48 FRONTAGE AND VEHICULAR ACCESS REQUIREMENTS.

-Daniel Jensen, Community Development

*(Timestamp 6:47)*

**DANIEL JENSEN, COMMUNITY DEVELOPMENT – THE IS AN AMENDMENT PROPOSED BY THE APPLICANT, GRANT SUMSION FOR CHANGES TO 4.44 AND 4.48 OF THE UTAH COUNTY LAND USE ORDINANCE AS THEY RELATE TO ACCESS, SPECIFICALLY WITHIN THE MNG1, CE1 AND CE2 ZONES. STAFF HAS WORKED WITH THE APPLICANT TO IDENTIFY PROPERTIES WHERE THERE CAN BE SOME CHALLENGES OBTAINING ACCESS FROM THE FRONTAGE SUCH AS STREAM CROSSINGS, SLOPES ABOVE A 12% GRADE, UDOT CHALLENGES, RAILROADS, ETC. WHAT HAS BEEN SUGGESTED TO STAFF IS THAT WE ALLOW A SHARED DRIVEWAY, AND THAT SHARED DRIVEWAY COULD INITIATE FROM A POINT ALONG THE ROAD THAT IS OUTSIDE OF THE FRONTAGE FOR THAT LOT THAT IT SERVES. WHAT WE PROPOSE THAT THIS WOULD ONLY APPLY FOR 2 PROPERTIES THAT ARE ADJACENT TO EACH OTHER AND WOULD BE AT LEAST 300' AWAY FROM THE FRONTAGE ALONG THE SAME QUALIFYING ROAD. THERE WOULD BE AN EASEMENT OF NO MORE THAN 330' AND THE EASEMENT RECORDED ON THE PROPERTY WOULD SPECIFY THAT ACCESS IS PERMITTED.**

**(COMMISSIONERS, DANIEL JENSEN, ROB MOORE (COUNTY ATTORNEY) DISCUSS SCENARIOS OF PROPOSAL)**

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**COMMISSIONER GARDNER: MOTION TO APPROVE**  
**COMMISSIONER LEE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

20. APPROVE OR (DENY) AMENDMENT TO UTAH COUNTY LAND USE ORDINANCE  
SECTION 14.12 TO PERMIT SHARED WELLS IN PLANNED SUBDIVISIONS.

-Daniel Jensen, Community Development

*(Timestamp 20:50)*

**DANIEL JENSEN, COMMUNITY DEVELOPMENT – THIS ONE HAD BEEN CONTINUED AND STAFF HAS CONTINUED TO WORK WITH THE APPLICANT AND I BELIEVE WE’VE COME TO LANGUAGE THAT WORKS FOR ALL PARTIES. IN DRAFTING THIS LANGUAGE, WE HAVE SOUGHT ADVISEMENT FROM THE COUNTY HEALTH DEPARTMENT AND WORKED WITH THEIR LEGAL REPRESENTATIVES AS WELL AS ROB MOORE FROM THE COUNTY ATTORNEY’S OFFICE. THE DEFAULT IS THAT EACH LOT WILL HAVE ITS OWN WELL ON SITE. WHAT’S COME UP IS A QUESTION ABOUT WHETHER THERE WOULD BE SCENARIOS WHERE TWO ADJACENT LOTS WOULD BE ABLE TO SHARE A WELL. AGAIN, WE’RE LOOKING JUST AT SUBDIVISION PLOTS, SO IT IS LIMITED WITH THAT REGARD. AS WE’VE LOOKED AT THIS PROCESS, WE’VE REALIZED THAT WITH THE SUBDIVISION, NOT MANY CHANGES. AS AN APPLICANT WOULD GO THROUGH THE SUBDIVISION PLOT PROCESS, THEY’D STILL MAKE SURE THAT EACH LOT QUALIFIES INDIVIDUALLY TO HAVE A WELL ON SITE, WHICH IS WHAT WE TYPICALLY DO. THEY WILL STILL WORK WITH THE HEALTH DEPARTMENT AND GO THROUGH THE FEASIBILITY STUDY AND GET ALL APPROVALS, BUT THEY WOULDN’T NEED TO ACTUALLY GO AND DRILL THE WELL. SO WHEN THE TIME SOMEBODY IS READY TO COME IN A START WORKING TOWARD A BUILDING PERMIT, IF THEY OWN TWO ADJACENT LOTS, THEY WOULD BE ABLE TO SHARE THE WELL WITH A SERIES OF REQUIREMENTS: 1) SUBMIT PROOF OF SHARED OWNERSHIP, 2) EACH LOT QUALIFIES INDEPENDENTLY, 3) DOCUMENT RECORDED THAT STATES THAT THE SHARED WELL WOULD ONLY BE ALLOWED TO REMAIN AS A SHARED WELL FOR THE DURATION OF THE SHARED OWNERSHIP, 4) BY HAVING A SHARED WELL, THERE COULD BE SOME IMPACT ON FUTURE PLACEMENT OF WASTEWATER SYSTEMS, 5) SITE PLAN. THEN AT SOME POINT IN THE FUTURE, IF THE SHARED OWNERSHIP TERMINATES, THE LOT THAT DOES NOT HAVE THE WELL WOULD NEED TO DISCONNECT FROM THE SHARED WELL AND OBTAIN THEIR OWN WELL.**

**COMMISSIONERS, DANIEL JENSEN, GREG ROBINSON (COMMUNITY DEVELOPMENT) AND ROB MOORE (COUNTY ATTORNEY) DISCUSS SHARED WELLS)**

**COMMISSIONER GARDNER: MOTION TO APPROVE**  
**COMMISSIONER LEE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

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21. DENY (OR APPROVE) AN ORDINANCE TO AMEND SECTIONS 4.44, 12.28.B AND CHAPTERS 8 OF THE UTAH COUNTY LAND USE ORDINANCE; A REQUEST TO ADD A "FARMSTEAD ESTATE" AS A PERMITTED USE IN THE MINING AND GRAZING (M&G-1) ZONE AND TO INCLUDE REQUIREMENTS AND STANDARDS FOR A FARMSTEAD ESTATE.

-Greg Robinson, Community Development

(Timestamp 33:01)

**COMMISSIONER LEE – I SUGGEST THAT WE MOTION TO CONTINUE WITHOUT DATE CONSIDERING THE NEXT ITEM THAT WE HAVE ON OUR AGENDA. IF WE COULD CONTINUE WITHOUT DATE, THEN WE COULD BRING THEM BACK AT THE SAME TIME**

**COMMISSIONER LEE : MOTION TO CONTINUE WITHOUT DATE**

**COMMISSIONER GARDNER: SECOND**

**AYE: ALL IN FAVOR**

**PASSED: 3/0**

22. TAKE ACTION TO REFER TO THE UTAH COUNTY PLANNING COMMISSION A PROPOSED UTAH COUNTY LAND USE ORDINANCE TEXT AMENDMENT TO CHAPTER 2, CHAPTER 4, CHAPTER 8, CHAPTER 12, AND ANY OTHER APPLICABLE SECTIONS RELATED TO THE REQUIREMENTS ASSOCIATED WITH FARM CARETAKER DWELLINGS.

-Bryce Armstrong, Community Development

(Timestamp 34:07)

**COMMISSIONER LEE: MOTION TO REFER BACK TO THE PLANNING COMMISSION FOR CONSIDERATION**

**COMMISSIONER GARDNER: SECOND**

**AYE: ALL IN FAVOR**

**PASSED: 3/0**

**COMMISSIONER LEE – I WOULD ANTICIPATE THAT THE PLANNING COMMISSION WOULD TAKE THIS UP AT THEIR NEXT PLANNING COMMISSION MEETING AND REFER IT BACK TO US.**

**GREG ROBINSON, PLANNING COMMISSIONER – THE NEXT MEETING IS SCHEDULED FOR DECEMBER. THEY MEET THE 3<sup>RD</sup> TUESDAY OF THE MONTH AND THEN WE WILL TRY TO GET IT BACK AS SOON AS POSSIBLE.**

23. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Alice Black, Clerk/Auditor

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**APPROVED ON CONSENT**

24. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Alice Black, Clerk/Auditor

#### **APPROVED ON CONSENT**

25. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICLY NOTICED FOR SALE, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Alice Black, Clerk/Auditor

#### **STRICKEN ON CONSENT**

26. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Alice Black, Clerk/Auditor

#### **APPROVED ON CONSENT**

### **WORK SESSION**

1. HOLD A WORKSHOP TO DISCUSS NEW CAPITAL PROJECT PROPOSALS AND CAPITAL PROJECTS TO BE INCLUDED IN THE 2022-2031 CAPITAL IMPROVEMENT PLAN.

-Rudy Livingston, Clerk/Auditor

*(Timestamp 35:56)*

**RUDY LIVINGSTON, BUDGET MANAGER AND CHAIR OF THE CAPITAL IMPROVEMENT COMMITTEE – WE HAVE BEEN WORKING ON MODIFYING SEVERAL THINGS THROUGHOUT THIS YEAR. EARLIER IN THE YEAR WE SPENT A FAIR AMOUNT OF TIME REVIEWING AND REVISING THE CAPITAL IMPROVEMENT POLICY AND HAVE MADE SOME CHANGES TO THAT. WE'VE ALSO LOOKED AT NEW REQUESTS FROM DIFFERENT DEPARTMENTS THROUGHOUT THE COUNTY FOR THINGS THAT THEY WOULD LIKE TO HAVE INCLUDED IN THE CAPITAL IMPROVEMENT PLAN FOR THE UPCOMING YEAR. IN ADDITION TO THAT, WE LOOKED AT VARIOUS PROJECTS THAT WERE INCLUDED IN THE 2021 PLAN AND LOOKED AT WHETHER THOSE WOULD BE ELIGIBLE FOR FUNDING FROM ARPA (AMERICAN RESCUE PLAN ACT OF 2021) FUNDING. IN ADDITION TO THAT, WE HAVE REVISED THE FORMAT OF THE SCHEDULE THAT WE'VE BEEN USING. LAST**



**YEAR WAS THE FIRST YEAR FOR THE CIP (CAPITAL IMPROVEMENT PLAN) AND WE'VE TRIED TO MAKE IT A LITTLE BIT EASIER TO READ BUT IT ALSO PROVIDES MORE INFORMATION.**

**NEXT YEAR WE'RE ANTICIPATING THAT WE WILL BE ABLE TO GET ALL OF THIS INFORMATION INTO THE NEW QUESTICA BUDGET SYSTEM SO THAT IT WILL BE ABLE TO PROVIDE INFORMATION IN A MUCH MORE USER-FRIENDLY FORMAT.**

**WE HAVE ABOUT 15 NEW REQUESTS. I WANTED TO BRING UP ONE OF THEM FIRST WHICH IS THE CENTRAL UTILITY PLANT CEILING WHICH IS BETWEEN THE ADMINISTRATION BUILDING AND THE HISTORIC COURTHOUSE. WE HAVE A VAULT UNDERNEATH THE WALKWAY WHERE WE HOUSE OUR UTILITY PLAN THAT SERVICES BOTH BUILDINGS. EROSION HAS BEEN DISCOVERED AND DECAY THAT NEEDS TO BE FIXED PRETTY QUICKLY OTHERWISE WE COULD RUN THE RISK OF LOSING THE FACILITIES IN BOTH BUILDINGS.**

**(COMMISSION AND RUDY LIVINGSTON DISCUSSED 2021 CIP, 2022 CIP, THE INFORMATION AVAILABLE ON THE PRINTOUT, PLANS FOR EVALUATIONS, ARPA QUALIFICATIONS, ETC.).**

### **PUBLIC COMMENTS**

**NO PUBLIC COMMENTS**

*(Moved to Closed Meetings: 3:05 P.M.)  
(Reopened Public Meetings: 4:25 P.M.)*

**COMMISSIONER LEE: MOTION TO ADJOURN**

**COMMISSIONER GARDNER: SECOND**

**AYE: ALL IN FAVOR**

**PASSED: 3/0**

***MEETING ADJOURNED***

*(Meeting Adjourned: 4:25 P.M.)*

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NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Alice Black at 801-851-8111. Handicap parking is available, as well as a level entrance to the building. Interpretation services are available with prior notice for the hearing disabled

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#### **Those in Attendance via Zoom:**

Commissioner Lee  
Kevin S  
Jim Stevens

Commissioner Gardner  
Ben Van Noy  
Brian Voeks

Ralf Barnes  
Ben Stanley



BOARD OF COMMISSIONERS FOR UTAH COUNTY  
And BOARD OF EQUALIZATION  
PUBLIC MEETING ATTENDANCE SHEET  
November 10, 2021 - 2:00 p.m.

PRINT CLEARLY

Name:

Agency:

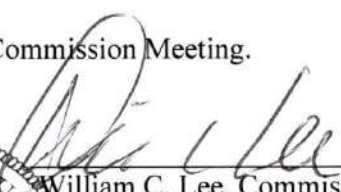
Grant Samsion	-Springville - 19420
Danene Jackson	Clerk / Auditor
RUDY LIVINGSTON	CLERK/AUDITOR
Burt Gurtfield	Assessor Office
Eric Edwards	UHD
Robert Byrte	Purchasing
PATRICK WAWRO	IT
Michael Leman	UHD
Samantha Heminger	Clerk/Auditor

Minutes Approved at December 1, 2021 Commission Meeting.

ATTEST:

  
Deputy Clerk/Auditor



  
William C. Lee, Commission Chair